

SASKATCHEWAN RESPONSE TO INVOKING THE *EMERGENCY ACT*

☐ Action Required

☒ Information Only

Confidential: ☒ Yes ☐ No

ISSUE

- Saskatchewan Highway Patrol (SHP) activities related to trucker protests.

KEY MESSAGES

- Saskatchewan does not support the federal government's choice to invoke the *Emergencies Act* (Act)
- The SHP has been activated as part of the Provincial Response Team (PRT) by the Royal Canadian Mounted Police (RCMP) to assist with enforcement activities at border crossings in Saskatchewan.
- The SHP has specific expertise in commercial vehicle enforcement and will primarily provide subject matter expertise to the RCMP at this time.
- Saskatchewan values the vital role of truck drivers in ensuring Saskatchewan goods get to market and that the province's people have access to the goods they need.

IMPACTS

- The current order is silent on the role of provincial law enforcement agencies, however, the RCMP could continue to request SHP support.
- Provincial law enforcement agencies could be provided with more tools to restore order, including the ability to levy fines and make arrests.
- Section 19(3) of the Act ensures Canada does not unduly impair a province's ability to take any emergency measures.
- Section 20 of the Act ensures Canada does not reduce the Province's or Municipalities' ability to control or direct law enforcement agencies.

BACKGROUND

- On February 14, 2022, the Government of Canada invoked the Act. The Act gives powers to the Prime Minister and his cabinet to respond to four different types of emergency scenarios: public welfare (natural disasters, disease), public order (civil unrest), international emergencies, and war emergencies.
- The public order emergency grants the government the authority to apply the following temporary measures:
 - Regulating and prohibiting public assemblies, including blockades, other than lawful advocacy, protest, or dissent;

- Regulating the use of specified property, including goods to be used with respect to a blockade;
 - Designating and securing places where blockades are to be prohibited (e.g., borders, approaches to borders, other critical infrastructure);
 - Directing specified persons to render essential services to relieve impacts of blockades on Canada's economy;
 - Authorizing or directing specified financial institutions to render essential services to relieve the impact of blockades, including by regulating and prohibiting the use of property to fund or support the blockades;
 - Measures with respect to authorizing the RCMP to enforce municipal and provincial laws by means of incorporation by reference; and,
 - The imposition of fines or imprisonment for contravening on any of the measures declared under this public order emergency.
- Orders or regulations made by the Governor in Council pursuant to the Act shall be laid before the House of Parliament or to the Parliamentary Review Committee (PRC) within two sitting days after it's made or established.
 - The PRC is made up of one member of the House of Commons from each party and at least one senator from each party in the Senate.
 - The SHP has participated in provincial activities related to protests including staffing barricades at the provincial legislature.
 - The SHP sent two officers to the Regway border crossing and the North Portal border crossing on February 12 and 13, 2022, at the request of the RCMP in response to protests planned at those locations.
 - The SHP will send up to 17 officers to Estevan on February 18 as part of the PRT response to support RCMP enforcement activities related to a planned protest at the North Portal border crossing from February 18-21, 2022.
 - Aviation may also be impacted nationally as a result of "slow roll" protests, which have been carried out in other jurisdictions interfering with access to airports.